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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/512,411	02/24/2000	Xiaobao Chen	3-2-2	5744

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EXAMINER

NGUYEN, THANH T

ART UNIT PAPER NUMBER

2144

DATE MAILED: 11/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/512,411

Applicant(s)

CHEN ET AL.

Examiner

Tammy T. Nguyen

Art Unit

2144

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE (3) MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 17 August 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-8, 10, 11 and 16-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8, 10-11, 16-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_



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***Detailed Office Action***

1. The Office action of June 1, 2006 is withdrawn and the following action is taken.
2. Claims 1-8, 10, 11 and 16-21 are presented to examination.

***Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-3, 5-8, 10, 16-18 and 20-21 rejected under 35 U.S.C. 102(e) as being anticipated by Bergenwall et al. (USPN 6,567,554 – Date of Patent: May 20, 2003, herein referred to as “Bergenwall”).
5. As to claim 1, Bergenwall discloses the invention as claimed, including a method of establishing a quality of service session between a correspondent node and a mobile node, the mobile node having a home address in a home network and being temporarily

connected at a care-of address in a foreign network, the method comprising the steps of: generating, in the foreign network, a source address of the mobile node's care-of address and a destination address of the correspondent node [see col.1, line 63 to col.2, line 15](mobile 1 register its current location in a foreign network with its home agent, the home agent 4 is able to create or modify a mobility binding (i.e., the association of the home address of the mobile node to the care-of-address thereof) and therefore the mobile node 1 can receive data packets addressed to its individual home address) and transmitting the modified message [see col.1, line 67 to col.2, line 5] (mobile node 1 can receive data packets addressed to its individual home address which are forwarded by the home agent thereof).

6. As to claim 2, Bergenwall teaches the invention as claimed, further comprising the steps of: receiving, in the home network, a request message having a source address of the correspondent node and a destination address of the mobile node's home address[see col.1, line 54 to col.2, line 15] (; encapsulates data packets address to the mobile node's home network address in a IP tunnel direct to the care-of address provided by the mobile node); creating a modified request message by replacing the destination address of the request message with the mobile node's care-of address [see col.1, lines 63-65] (the home agent 4 is able to create or modify a mobility); transmitting the modified request message to the foreign network, whereby the modified reply message is generated responsive to the modified request message [see col.6, lines 65-67).
7. As to claim 3, Bergenwall teaches the invention as claimed, wherein the step of generating the modified reply message is carried out by proxy device in the foreign

network, the proxy device being associated with the mobile node [see col.2, lines 41-46] (home agent then use proxy neighbor discovery to intercept data packets addressed to the mobile node's home address) , and further comprising the steps of: responsive to receipt of the modified request message at the proxy device, sending a quality of service indication signal to the mobile node, whereby the modified reply message is generated responsive to receipt of a quality of service acknowledgment from the mobile node [see col.2, lines 36-40] (acknowledgment of the binding update data packet is then forwarded for the home agent 4, to the mobile node 1).

8. As to claim 5, Bergenwall teaches the invention as claimed, further comprising the steps of: receiving, in the home network, the modified reply message [see col.1, 2, lines 2-15]; creating a further modified reply message by replacing the source address with the mobile node's home address [see col.1, lines 61-66]; and transmitting the further modified reply message [see col.1, line 65 to col.2, line 5](data packets addressed to its individual home address are forward by the home agent).
9. As to claim 6, Bergenwall teaches the invention as claimed, wherein the correspondent node generates the request message and receives the further modified reply message [see col.1, lines 44-67].
10. As to claim 7, Bergenwall teaches the invention as claimed, wherein: the correspondent node is associated with a correspondent proxy device [see col.2, lines 42-46], whereby: the correspondent proxy device generates the request message [see col.2, lines 42-46]; and the correspondent proxy device generates confirmation responsive to receipt of the further modified reply message [see col.1, lines 44-67].

11. As to claim 8, Bergenwall teaches the invention as claimed, wherein the step of generating the modified reply message is carried out in the mobile node [see col.1, line 44 to col.2, line 5].
12. As to claim 10, Bergenwall teaches the invention as claimed, in which the step of generating the modified reply message is carried out by a proxy device in the foreign network, the proxy device being associated with the mobile node [see col.2, lines 42-46].
13. As to claim 16, Bergenwall teaches the invention as claimed, including a system capable of supporting a quality of service session, comprising: a correspondent node [see fig.1], a mobile node having a home address in a home network and being temporarily connected at a care-of address in a foreign network [see col.1, lines 44-53]; a proxy device, in the foreign network, the proxy device associated with the mobile node for generating a modified reply message of an internet protocol packet having a source address of the mobile node's care-of address and a destination address of the correspondent node [see . col.1, line 63 to col.2, line 15](mobile 1 register its current location in a foreign network with its home agent, the home agent 4 is able to create or modify a mobility binding (i.e., the association of the home address of the mobile node to the care-of-address thereof)
14. As to claim 17, Bergenwall teaches the invention as claimed, wherein the proxy device is located in the mobile node located in the mobile node [see col.2, lines 41-46].
15. As to claim 18, Bergenwall teaches the invention as claimed, wherein the proxy device is located outside the mobile node and coupled to the mobile node [Fig.1]
16. As claim 20, Bergenwall teaches invention as claimed, the system being a mobile IP environment [see col.2, lines 25-46].

17. As to claim 21, Bergenwall teaches the invention as claimed, including a method of establishing a quality of service session between a corresponding node and a mobile node, the mobile node, the mobile node having a home address in a home network and being temporally connected at a care-of-address in a foreign network, the method comprising the steps of: generating, in the foreign network, a source address of the mobile node's care-of address and a destination address of the correspondent node [see col.1, line 63 to col.2, line 15](mobile 1 register its current location in a foreign network with its home agent, the home agent 4 is able to create or modify a mobility binding (i.e., the association of the home address of the mobile node to the care-of-address thereof) and therefore the mobile node 1 can receive data packets addressed to its individual home address) and transmitting the modified message [see col.1, line 67 to col.2, line 5] (mobile node 1 can receive data packets addressed to its individual home address which are forwarded by the home agent thereof). wherein the step of generating the modified reply message comprises: generating a reply message having a source address of the mobile node's home address and a destination address of the correspondent node; and replacing the source address with the mobile node's care-of-address, thereby generating the modified reply message [see col.1, line 63 to col.2, line 15](mobile 1 register its current location in a foreign network with its home agent, the home agent 4 is able to create or modify a mobility binding (i.e., the association of the home address of the mobile node to the care-of-address thereof).

### ***Claim Rejections - 35 USC § 103***

18. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

19. Claims 4,11, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bergenwall et al., (hereinafter Bergenwall) U.S. Patent No. 6,567,664, in view of Kidder et al., (hereinafter Kidder) U. S. Patent No. 5,903,735.
20. As claim 4, Bergenwall does not explicitly teach the quality of service session is an RSVP Message, the request message is a Path message and the modified reply message is a Reservation message.
21. In the same field of endeavor, Kidder discloses (e.g., a method and apparatus for transmitting data having minimal bandwidth requirements) Kidder discloses the quality of service session is an RSVP session (See Kidder, col.7, line 55-col.8, line 17); the request message is a Path message (see Kidder, col.8, lines 3-17, col.8, lines 49-65, and col.10, lines 22-38); and the modified reply message is a Reservation message (see Kidder, col.8, lines 3-17, and col.9, lines 17-41).
22. Accordingly, It would have been obvious to one of ordinary skill in the networking art at the time of the invention was made to have incorporated Kidder's teaching of a method



and apparatus for transmitting data having minimal bandwidth requirement with the teachings of Bergenwall to have an RSVP, Path and Reservation message session includes in a communication system because it would have an efficient system that provide to accommodate the prioritization of low bandwidth, minimum latency messages of small packet sizes [see Kidder, col.2, lines 37-40].

23. Claims 11, and 19 have similar limitations as claim 4; therefore, they are rejected under the same rationale.

### ***Conclusion***

24. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tammy T. Nguyen whose telephone number is 571-272-3929. The examiner can normally be reached on Monday - Friday 8:30 - 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, ***William Vaughn*** can be reached on 571-272-3922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

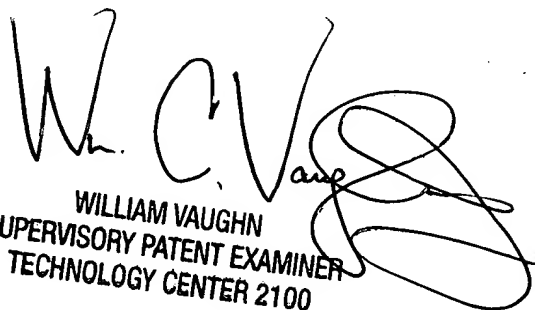
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like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

*TTN*

May 15, 2006

  
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